

MANSFIELD TOWNSHIP COMMITTEE MEETING

June 24, 2015

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Ms. Hrebenak stated that there are requested corrections so she would like to pull the minutes from the minutes from tonight's agenda. June 10, 2015.

BILL LIST:

Mr. Misertino asked about the bill for the Land Use Board attorney for the OPRA request.

Mr. Misertino made a motion to approve the bill list as presented, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

CLERKS REPORT:

Ms. Hrebenak stated that there is a letter from the Relief Association to grant approval for JoAnn Griffith to attend the Fireman's Convention from September 17 thru the 19th.

Mayor Clancy granted approval for JoAnn Griffith to attend the Fireman's Convention on Friday, September 18, 2015.

Ms. Hrebenak stated that there is an application for the Relief association for Ralph Kay Jr.

Mr. Misertino made a motion to approve the relief association application for Ralph Kay Jr, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

Mr. Watters made a motion to approve the Bid for the Recreation Property that was received from Truskowski Farms in the amount of \$101.50 per acre, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

FINANCE REPORT:

Mr. Daniel stated that the \$500 that was sent to the HIF for them to do a comparison and they refused to do the comparison therefore we have received that money back.

EMPLOYEES REPORTS:

Mrs. Fascenelli stated that she has scheduled the Electronic Recycling Event for November 21 8:30 to 12:30 at the Municipal Garage 1710 Route 57.

Mrs. Fascenelli stated that she had given all Committee members a copy of the newsletter and she would like to request any requested corrections that the Committee may have to offer.

ENGINEERS REPORT:

Mr. Finelli explained that the Watters Road project is underway and they were waiting to proceed until the Capital Ordinance is approved.

Mr. Finelli stated that the paper work for the Salt Shed is under way and the bid packages will be received by July 17, 2015.

RESOLUTION:

TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY

RESOLUTION # 2015 –70

TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87, CHAPTER 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount; and

WHEREAS, the Township of Mansfield received \$ 884.00 for Alcohol Education Rehab Enforcement Fund DWI and wishes to amend its 2015 budget to include a portion of this amount as a revenue

NOW, THERE, BE IT RESOLVED that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$ 884.00 that is now available as revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent

Of the Director of Local Government Services:

Public and Private Revenues Offset with Appropriations:

Alcohol Education Rehab Enforcement Fund DWI

BE IT FURTHER RESOLVED, that a like sum of \$ 884.00 be and the same is hereby appropriated under

the caption of:

General Appropriations

Operations – Excluded from caps Public and Private Programs

Offset by Revenues:

Alcohol Education Rehab Enforcement Fund DWI

BE IT FURTHER RESOLVED, that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services.

Mr. Watters made a motion to approve the passage of Resolution 2015-70, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

RESOLUTION # 2015 –71
REFUND OF ROAD OPENING ESCROW BALANCE
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, Jewell Excavating Company issued a check for a road opening escrow with the Township of Mansfield, County of Warren,

WHEREAS, there remains a balance of \$ 2,680.00 in the escrow account,

WHEREAS, the Township Engineer has determined that the escrow balance can be refunded,

NOW THEREFORE BE IT RESOLVED, that the Township Finance Office be authorized to refund the amount of \$ 2,680.00 to Jewell Excavating Company.

Mr. Watters made a motion to approve the passage of Resolution 2015-71, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

Resolution 2015-72

**RESOLUTION TO ESTABLISH A RESERVE FOR PRELIMINARY EXPENSES FOR WATTERS ROAD
PRESERVATION IN THE GENERAL CAPITAL FUND OF THE TOWNSHIP OF MANSFIELD, COUNTY OF
WARREN, STATE OF NEW JERSEY**

WHEREAS, the expense of preliminary surveys, architects' fees, and engineering costs applicable to any bondable project may be charges against the Capital Improvement Fund; and

WHEREAS, the Township Committee of the Township of Mansfield hereby acknowledges the requirement of preliminary costs to determine the scope and cost of a proposed undertaking; and

WHEREAS, the purpose of these preliminary costs are the Watters Road Preservation Project and that

the amount to be charged is for the purpose for which bonds may be issued under Chapter 2 of Title 40A;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, that the amount to be appropriated for preliminary costs shall not exceed \$10,000.00 and the CFO is authorized to set up a reserve for preliminary expenses out of the Capital Improvement Fund of the General Capital Fund.

Mr. Misertino made a motion to approve the passage of Resolution 2015-72, which was seconded by Mayor Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

RESOLUTION 2015-73

MANSFIELD TOWNSHIP LIQUOR LICENSE RENEWAL 2015-2016

WHEREAS, the following establishments have paid the fees for renewal of Liquor Licenses for the license term 2015-2016:

- | | | |
|----|----------------------------|------------------|
| 1. | Tap House Grill | #2116-33-001-004 |
| 2. | Mansfield Bottle King | #2116-44-003-005 |
| 3. | Ruby Tuesday | #2116-33-002-003 |
| 4. | Pasta Grill Mansfield, LLC | #2116-33-009-008 |
| 5. | Comfort Inn | #2116-33-006-007 |

WHEREAS, the appropriate fees have been paid to the Municipality; and

NOW, THEREFORE, BE IT RESOLVED, by the Mansfield Township Committee that the foregoing Liquor License Applications be approved for the licensing year 2015-2016.

Mrs. Kocher made a motion to approve the passage of Resolution 2015-73, which was seconded by Mrs. Korczukowski.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

ORDINANCE:

First Reading:

ORDINANCE NUMBER – CA-15-01

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY, APPROPRIATING \$280,000 FOR CONSTRUCTION OF A SALT SHED

WHEREAS, there is a need for a salt shed to ensure continuous maintenance of roads during snow events in the Township of Mansfield; and

WHEREAS, the current salt shed is of insufficient size and in need of major repair;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Mansfield, Warren County, New Jersey, as follows:

1. The amount of \$280,000 is hereby appropriated from a reserve for salt shed in the general capital fund.
2. There is no debt incurred by this Ordinance.
3. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

Mr. Misertino made a motion to approve the introduction of CA2015-01 and requested that the public hearing be scheduled to be held July 22, 2015, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

ORDINANCE NUMBER – CA-15-02

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY, APPROPRIATING \$155,000.00 FOR WATTERS ROAD PRESERVATION

WHEREAS, there is a need to stabilize and preserve Watters Road and the associated retaining wall due to erosion;

BE IT ORDAINED by the Township Committee of the Township of Mansfield, Warren County, New Jersey, as follows:

1. The amount of \$49,202.34 is hereby appropriated from the reserve for streets and roads in the general capital fund.
2. The amount of \$23,840.66 is hereby appropriated from the reserve for road construction in the general capital fund.
3. The amount of \$81,957 is hereby anticipated from a municipal aid grant from the DOT.
4. There is no debt incurred by this Ordinance.
5. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

Mr. Watters made a motion to approve the introduction of CA2015-02 and requested that the public hearing be advertised to be held on July 22, 2015, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

Mr. Clancy made a motion to approve the corrections to the March 23, 2011 minutes, which was seconded by Mr. Watters.

Ayes: Mr. Watters, Mayor Clancy

Nays: None

Absent: None

Abstain: Mr. Misertino, Mrs. Kocher, Mrs. Korczukowski

Second Reading:

Mr. Lavery explained the ordinance and what the purpose is.

Mayor Clancy opened the floor for public comment.

ORDINANCE 2015-08

**TOWNSHIP OF MANSFIELD, COUNTY OF WARREN,
STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING
CHAPTER 256 OF THE TOWNSHIP CODE
TO PROHIBIT CERTAIN NUISANCES**

ARTICLE 1. NUISANCE PROHIBITED

256.1 Noise Prohibited.

It shall be unlawful for a person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which does or is likely to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others.

256.2 Definition of Noise.

Without intending to limit the generality of subsection 256.1, the following acts are hereby declared to be examples of loud, disturbing, and unnecessary noise in violation of this section:

- a. *Radios; Televisions; Phonographs.* The playing, use or operation of any radio receiving set, television, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of neighboring inhabitants or with louder volume than is necessary for convenient hearing for persons who are in the room, vehicle or chamber in which the machine or device is operated and who are voluntary listeners. The operation of such a set, instrument, phonograph, machine or device so that it is clearly audible at a distance of one hundred (100') feet from the building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this section.
- b. *Yelling; Shouting.* Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place, which annoys or disturbs the quiet, comfort or repose of persons in any office, dwelling, hotel, motel or other type of residence or of any persons in the vicinity.
- c. *Animals; Birds.* The keeping of animals or birds which, by causing frequent or long-continued noise, disturbs the comfort or repose of any person in the vicinity; but nothing herein contained is intended to apply to a dog pound or kennel licensed in accordance with Section 123-9 of these ordinances.

- d. *Horns.* The sounding of a horn or warning device on an automobile, motorcycle, bus or other vehicle except when required by law, or when necessary to give timely warning of the approach of the vehicle, or as a warning of impending danger or persons driving other vehicles or to persons on the street. No person shall sound a horn or warning device on an automobile, motorcycle, bus or other vehicle which emits an unreasonably loud or harsh sound, or for an unnecessary or unreasonable period of time.

256.3 Penalties.

Chapter 1, Article III, Section 1-17 hereof, penalty shall apply.

Mr. Rich Petteruti, 205 Snyder Road, stated that the ordinance is ambiguous and is subject to the person that is enforcing this. Mr. Petteruti stated that this is not correct.

Mr. Misertino made a motion to approve the passage of Ordinance 2015-08 and requested that the results be advertised, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: Mr. Watters

Absent: None

Abstain: None

Return to Regular Session at 9:14 pm.

Mr. Misertino made a motion to enter into Executive Session at 8:11 pm, which was seconded by Mr. Watters.

Mr. Lavery stated that during Executive Session the Committee discussed personnel, contractual, salt shed estimate, church copies of these minutes will be available as soon as the Committee feels they are no longer a harm to the public interest.

Mr. Watters made a motion to hire the Eclectic Architecture in the amount of \$4200 for the Mount Bethel Church Project, which was seconded by Mrs. Korczukowski.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

PUBLIC PORTION:

Rich Petteruti Musconetcong River what is the work that is being done in the river.

Ms. Hrebenak stated that she would find out and let Mr. Petteruti know.

Mr. Petteruti what the schedule is for the trimming on the roads.

Mr. Clancy stated that it is dependent on the manpower and also the equipment and it working.

Mr. Petteruti asked about the political signs and the placement of them on the Township Property.

Scott Minter, 545 Mount Bethel Road, asked if Council had any record of the items that were requested by OPRA from DEP and also from the Attorney General's Office. Mr. Minter stated that he feels that this was acted upon by the Township Committee and should have been kept as a public record.

Mr. Minter asked about the part time help for DPW and why the Township Committee has not acted on this.

Mr. Minter asked about the Architect that is going to be hired for the Mt Bethel Church is there going to be a timeline.

Mr. Minter asked about the money that is in the Open Space account.

Mr. Minter asked about the Farming Contract and what the Township can do to get out of the five year contract.

Mr. Minter asked about the Executive Session meeting minutes and the fact that they are vague and stated that he would like to see the Executive Sessions be taped.

JoAnn Fascenelli, 9 Schaffer Road, thanked the Municipal Clerk for getting the table for the meeting room.

Elizabeth Griggs, asked about a Facebook page for the Township. Mrs. Griggs also asked about the metrics for the Township website. Mrs. Griggs asked about the metrics for the Tax Appeals. Mrs. Griggs asked about the email address that is used for Mr. Watters to receive email.

COMMITTEE PERSON COMMENTS:

Mr. Misertino stated that at the recreation meeting the Committee will be interviewing candidates for the open position.

Mr. Watters stated that a resident has offered to perform a concert to raise funds for the Mt Bethel Church and they are looking for venues.

Mr. Misertino stated that the dates are set for the Movie nights that recreation will be holding.

Mrs. Kocher stated that emails have been sent out for performance reviews to be completed by Department Heads.

Mr. Misertino made a motion adjourn at 9:41pm.